

FOR INFORMATION
DA-2003-1

January 28, 2003

SUBJECT: *Phytophthora ramorum*, Sudden Oak Death (SOD), Expansion
of Listed Hosts—California and Oregon

TO: STATE AND TERRITORY AGRICULTURAL REGULATORY
OFFICIALS

On February 14, 2002, APHIS published an interim rule (7 CFR 301.92) in the Federal Register for SOD. This rule regulates the artificial spread of this disease-causing organism from moving out of the counties where the disease is established. We now have learned that certain plant parts of an additional host require regulating in order to control the artificial spread of the disease.

University researchers regularly analyze suspect new hosts. In December 2002, a researcher announced the disease has been found associated with parts of a tree species growing in the currently regulated areas. This new host is canyon live oak (*Quercus chrysolepis*). The disease was reported limited to small branches and leaves.

Therefore, effective immediately the restricted articles are small branches (less than 1 inch in diameter) and leaves of canyon live oak. This action is authorized by the Plant Protection Act of June 20, 2002, Section 412(a), which authorizes the Secretary of Agriculture to prohibit or restrict the movement in interstate commerce of any plant, plant part, or article if the Secretary determines the prohibition or restriction is necessary to prevent the dissemination of a plant pest within the United States. This action is also authorized by 7 CFR 301.92-2(b)(2) which designates as restricted articles any other product or article that an inspector determines to present a risk of spreading SOD. This designation is only valid when an inspector notifies the person in possession of the product or article that it is a restricted article.

This action will be reflected by regulatory changes that will be published in the Federal Register for public comment in accordance with the provisions of the Administrative Procedures Act.

/s/ Paul R. Eggert
for

Richard L. Dunkle
Deputy Administrator
Plant Protection and Quarantine